

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. – Tribal Welfare Department – Establishment – Revision Petition of Sri P.Kamalesh formerly Warden, STBH, Dichpally, Nizamabad Dist. against the punishment of stoppage of three annual grade increments with cumulative effect imposed by the District Collector, Nizamabad proceedings dt.18-8-2000 – Revision allowed and the punishment reduced to one increment without cumulative effect – Orders – Issued.

SOCIAL WELFARE (TW.SER.II) DEPARTMENT

G.O.RT.NO. 270

DT: 03-04-2009.

Read the following:

1. From the District Collector, Nizamabad Proceedings Rc. No. A/324/99,dt.18-8-2000
 2. From the Director of TW, Hyd. Proceedings Rc.No.K1/3838/2000,dt.10-7-2006
 3. From Sri P.Kamalesh, formerly Warden, STBH, Dichpally, Nizambad Appeal Petition dt.6-11-2006
 4. From the DTW, Hyderabad, Lr.Rc.No.K1/9858/07, dt.3-10-2008.
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O R D E R:

In the reference 1st read above the District Collector, Nizamabad has issued orders imposing punishment of stoppage of three annual grade increments with cumulative effect against Sri P.Kamalesh, formerly Warden, STBH, Dichpally, Nizamabad District for the lapses during the Surprise check conducted by the ACB on 22/23-12-1997.

2. In the reference 2nd read above, the Director of TW, Hyderabad has dismissed the Appeal Petition submitted by Sri P.Kamalesh, formerly Warden, STBH, Dichpally, Nizamabad and confirmed the penalty of stoppage of three annual grade increments with cumulative effect imposed on the appellant by the Dist.Collector, Nizambad.

3. In the reference 3rd read above, Sri P.Kamalesh, formerly Warden, STBH, Dichpally, Nizambad Dist.has filed revision petition before, the Government. In the review petition he has pleaded not guilty saying that the allegation such as manipulation of record, boosting up attendance of the boarders, causing loss to the Government to the tune of Rs.8,232-00, mismanagement of hostel affairs and subjecting the boarders to hardship and starvation were not held proved against him. Further the shortage of 40 Kgs. Rice was due to receipt of Rice bags from M.L.S. Point, Dichpally, with less quantity for the reason of driage and there was no weighment facility at hostel to record such shortages and also for the reason of removal of small broken rice and other foreign material in order to provide better food to the boarders which is commonly seen every where and on his explanation with these facts the ACB authorities were satisfied. Moreover no shortages were found in other commodities by which his sincerity can be under stood. The Enquiry Officer has not given proper analysis to establish his guilt but abruptly concluded that the allegation of shortage was held proved. The value of resultant shortage of 40 Kgs. Rice comes to Rs.160-00 at the then rate of Rs.4-00 per Kg. which may be waived off in consideration of the facts already submitted by him. Hence he has requested to set aside the punishment orders of stoppage of 3 annual grade increments with cumulative effect.

4. In the reference 4th read above the Director of Tribal Welfare has submitted his remarks on the Revision Petition of the appellant.

5. The Government after careful examination of the Appeal Petition filed by Sri P.Kamalesh, formerly Warden, STBH, Dichpally, Nizambad District has observed that on the 5 charges framed against Sri P.Kamalesh, Warden, the District Collector, Nizambabad while dropping 4 charges, imposed punishment of stoppage of (3) annual grade increments with cumulative effect for the remaining charge of "ACB reported shortage of 40 Kgs of rice and Warden could not explain for the said shortage" When the ACB enquired about shortage of 40 Kgs of rice, the Warden replied that the shortage was due to difference of weight and separation of broken

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rice. Except this, no further adverse comments were either recorded or the ACB asked to show the separated broken rice obviously might have satisfied with the Warden's reply. The Enquiry Officer also recorded his finding that after 1 ½ years, it was very difficult to verify the toned rice but held the charge as proved beyond doubt and basing by it, the Disciplinary Authority imposed punishment of stoppage of (3) annual grade increments with cumulative effect, is on high side. Hence, it is decided that the punishment awarded by the District Collector, Nizamabad in procs.No.A1/324/99, dt.18-8-2000 as confirmed by the DTW in Procs.no.k1/13838/2000, dt.10-7-2006, be reduced to one increment without cumulative effect.

6. Therefore, Government after careful examination of the matter, hereby allow the Revision Petition of Sri P.Kamalesh, formerly Warden, STBH, Dichpally, Nizamabad District and the punishment awarded by the District Collector, Nizamabad in the reference 1st read above and as confirmed by the Director of Tribal Welfare, Hyderabad in the reference 2nd read above, is reduced to one annual grade increment without cumulative effect on the lapses found during the Surprise Check conducted by the ACB on 22/23-12-1997.

6. The Director of Tribal Welfare, Hyderabad shall take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**A.K.TIGIDI
PRINCIPAL SECRETARY TO GOVERNMENT (TW)**

To
Sri P.Kamalesh, formerly Warden, STBH, Dichpally, Nizamabad Dist.
Through Director of Tribal Welfare, Hyderabad.

The Director of Tribal Welfare, Hyderabad
The District Collector, Nizamabad
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
The Director General, Anti Corruption Bureau, Hyderabad.
PS to Minister (TW&RIAD)
PS to Principal Secretary to Govt.(TW)

//FORWARDED BY ORDER //

SECTION OFFICER